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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

1 Indiezone, Inc., a Delaware corporation, and
2 EoBuy, Limited an Irish private limited
3 company,

4 *Plaintiffs,*

5 vs.

6 Todd Rooke, Joe Rogness, Phil Hazel, Sam
7 Ashkar, Holly Oliver and U.S. Bank,
8 collectively the ***RICO Defendants;***

9 Jingit LLC., Jingit Holdings LLC., Jingit
10 Financial, Services LLC., Music.Me, LLC.,
11 Tony Abena, John E. Fleming, Dan Frawley,
12 Dave Moorehouse II, Chris Ohlsen, Justin
13 James, Shannon Davis, Chris Karls in their
14 capacities as officers, agents and/or employees
15 of the Jingit LLC.,
16 ***Defendants in Negligence, and Aiding/***

17 ***Abetting;***

18 Wal-Mart, General Electric, Target, DOE(s)
19 and ROE(s) 1 through 10, ***Defendants in***
20 ***Negligence Secondary-Vicarious***
21 ***Infringement,***

22 ***Defendants.***

Case No. 4:13-cv-04280 YGR/EDL

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**DEFENDANT U.S. BANK NATIONAL
ASSOCIATION'S OPPOSITION TO
PLAINTIFFS' MOTION TO AMEND
THEIR SUMMONS AND COMPLAINT**

Hon. Yvonne Gonzalez Rogers

Date: April 1, 2014
Time: 2:00 p.m.
Place: Courtroom 5

1 U.S. Bank hereby joins and incorporates by this reference, as if fully set forth herein, the
2 Memorandum in Opposition to Plaintiffs' Motion to Amend Their Summons and Complaint, and
3 the arguments and supporting affidavits made thereto, filed by defendants Jingit, LLC, Jingit
4 Holdings, LLC, Jingit Financial Services, LLC, Sam Ashkar, Phil Hazel, Holly Oliver, Shannon
5 Davis, Justin James, Chris Ohlsen, Dan Frawley, Dave Moorehouse II, Tony Abena, Chris Karls,
6 John E. Fleming, and Music.Me, LLC, Todd Rooke, and Joe Rogness (ECF Nos. 66-67), in
7 opposing plaintiffs' request to file an amended complaint, on the grounds that plaintiffs' proposed
8 amendment would be futile because the purported entity that plaintiffs seek to add as a plaintiff
9 does not exist and therefore cannot have capacity to sue.

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11 Dated: March 7, 2014

12 JAMES R. MCGUIRE
ANGELA E. KLEINE
MORRISON & FOERSTER LLP

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By: /s/ Angela E. Kleine
Angela E. Kleine

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